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**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

CLASSIC MARITIME INC., HAIKUO  
SHIPPING 1621 LTD., OCEANSURF  
OWNERS LTD., and ERWINA SHIPPING,  
LTD,

Plaintiffs,

vs.

GLENCORE SINGAPORE PTE LTD.,

Defendant

Case No. 1:24-cv-09741-MKV

**DECLARATION OF PETER J. BEHMKE IN SUPPORT OF  
GLENCORE SINGAPORE PTE LTD.'S MOTION TO DISMISS**

I, Peter J. Behmke, declare as follows:

1. I am a partner at the law firm Herbert Smith Freehills New York LLP, counsel to Glencore Singapore Pte Ltd. ("GSPL"). I am a member of the Bar of the State of New York and am admitted to practice before this Court.

2. I submit this declaration in support of GSPL's motion to dismiss the First Amended Complaint (ECF No. 18; "FAC"), filed contemporaneously herewith. The facts and matters set forth in this declaration are true to the best of my knowledge and belief based upon my review of records relevant to this case. If called on to testify, I could and would testify to the facts set forth herein.

3. A true and correct copy of the order confirmation for the fixed forward price ("FFP") contract dated June 11, 2021, referenced in paragraph 14 of the FAC, is attached hereto as **Exhibit A**.

4. A true and correct copy of an email chain containing the order confirmation concerning the FFP, referenced in paragraph 15 of the FAC, is attached hereto as **Exhibit B**.

5. A true and correct copy of a publicly available, redacted copy of the ISO 8217:2017 standard, referenced in the FAC (*see, e.g.*, FAC ¶¶ 14–16, 18–20, 22–25), is attached hereto as **Exhibit C**.

6. A true and correct copy of Regulation 18 of MARPOL Annex VI, referenced in the FAC (*see, e.g.*, FAC ¶¶ 12, 15, 21, 23), is attached hereto as **Exhibit D**.

7. A true and correct copy of the order confirmation issued by GSPL to Classic on February 11, 2022, referenced in the FAC (*see* FAC ¶¶ 16, 37, 54), is attached hereto as **Exhibit E**.

8. A true and correct copy of the order confirmation issued by GSPL to Classic on February 18, 2022, referenced in the FAC (*see* FAC ¶¶ 16, 37, 54), is attached hereto as **Exhibit F**.

9. A true and correct copy of the order confirmation issued by GSPL to Classic on February 21, 2022, referenced in the FAC (*see* FAC ¶¶ 16, 37, 54), is attached hereto as **Exhibit G**.

10. A true and correct copy of the order confirmation issued by GSPL to Classic on February 24, 2022, referenced in the FAC (FAC ¶¶ 16, 37, 54), is attached hereto as **Exhibit H**.

11. A true and correct copy of GSPL's General Terms and Conditions for the Sale of Marine Fuels, referenced in the FAC (*see* FAC ¶¶ 12, 66–67, 69) is attached hereto as **Exhibit I**.

12. A true and correct copy of the publication by the Maritime and Port Authority of Singapore ("MPA") dated April 13, 2022, referenced in paragraph 44 of the FAC, is attached hereto as **Exhibit J**.

13. A true and correct copy of the publication by the MPA dated May 5, 2022, referenced in paragraph 45 of the FAC, is attached hereto as **Exhibit K**.

14. A true and correct copy of the publication by the MPA dated August 3, 2022, referenced in paragraph 50 of the FAC, is attached hereto as **Exhibit L**.

15. A true and correct copy of the publication by the International Council on Combustion Engines dated October 2022, referenced in the FAC (*see* FAC ¶¶ 20, 32, 44), is attached hereto as **Exhibit M**.

16. A true and correct copy of the publication by Viswa Laboratories dated March 1, 2022, referenced in the FAC (*see* FAC ¶¶ 34–35), is attached hereto as **Exhibit N**.

17. A true and correct copy of a publicly available excerpt of the Singapore Standard for Quality Management for Bunker Supply Chain, referenced in paragraph 24 of the FAC, is attached hereto as **Exhibit O**.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Dated: March 28, 2025  
New York, New York

/s/ Peter J. Behmke  
Peter J. Behmke